

**CITY OF EXCELSIOR  
Hennepin County, Minnesota**

**MINUTES**

**City Council Work Session**

**Tuesday, January 17, 2012**

**1. Call to Order/Roll Call**

Mayor Ruehl called the meeting to order at 5:40 p.m.

Councilmembers present: Caron (arrived at 5:52 p.m.), Fulkerson,  
Miller (arrived at 5:57 p.m.), Olson, and  
Mayor Ruehl

Also Present: City Manager Luger, City Attorney Staunton,  
and City Clerk Johnson

**2. Agenda Approval**

Fulkerson moved, Olson seconded, to approve the agenda as presented.  
Motion carried 3/0.

**3. Proposed Draft Financial Reporting Document from Charter  
Commission**

Luger said that she had asked the City's Financial Consultant, Jeanne Day to do an analysis on the proposed Charter amendment. She thought it would be good to get Day's perspective, especially since she hasn't been involved in the discussions on the Charter amendment.

Luger said that staff is looking for direction from the Council on how to prepare for the Council's Work Session with the Charter Commission, which is scheduled for Wednesday, February 16, 2012.

Mayor Ruehl said that the financial reporting document is very complex and the language far exceeds what should be placed in a City Charter. There is also a greater concern from the public who are looking for trust, transparency, continuity, and security relative to the financial being of the City. He thinks it would be best to consider having two or three simplified comments in the City Charter that would acknowledge that the City would follow good financial processes and reporting to the citizens and then the remainder could be placed into a policy. There could also be more information included in the State of the City Report each year.

Mayor Ruehl said that the City has a long term financial plan that includes projects that need to be done along with a list of projects that the City wants to get done. The financial reporting document identifies having a strategic plan, which the City does not have and cannot afford to create until the City identifies an income source.

**3. Proposed Draft Financial Reporting Document from Charter Commission – (Continued)**

Fulkerson said that most people trust the Council; it is only a handful of people who distrust the Council. Mayor Ruehl said the philosophy of wanting more transparency goes beyond Excelsior; there is a group that will be introducing legislation this winter that will require cities to look at financial information differently. There is an issue of transparency in all areas of government, not just cities.

Fulkerson said that she believes that the majority of the Charter Commission is looking for an ordinance versus a Charter amendment. She believes that people are beginning to have a better understanding of what the costs are to the City for doing business.

Mayor Ruehl said that people are looking for more financial information than what the City has available today. The City could do a better job of summarizing in a document or policy what the process is and what reports are available.

Olson said everything is public so the City has no secrets. He is not sure what the goal is. How does having pages and pages of details simplify things? Who is asking the City to do all of this extra work? He agrees that a short summary could go into the Charter, but not all of the details.

Mayor Ruehl said that the Charter Commission provided a number of examples for financial reporting. Some of the examples were very complex and would be difficult for people to understand. There should be a short list of bullet points in the Charter and then the rest could be placed in an ordinance.

Caron said the Council hasn't gone back to the Charter Commission with any specifics on the proposed amendment. To just go back to the Charter Commission and say that a simplified version should go into the Charter will create too much work and extra meetings for the Commission to simplify.

Olson asked what the Charter Commission wants from the Council. Caron said originally the Charter Commission was looking for a Charter amendment. At the last Charter Commission meeting, a majority of the Commissioners were comfortable removing "Charter amendment" from the title and were open to having a discussion with the Council on whether it should be a charter amendment, an ordinance, or policy.

Mayor Ruehl said that the Council can go back to the Charter Commission with the list of documents that it thinks are important to maintain and should be identified and placed in an ordinance. The Council can then review the list at the beginning of every year at the same time it reviews the Council By-Laws and then make adjustments if needed.

**3. Proposed Draft Financial Reporting Document from Charter Commission – (Continued)**

Miller said that he thinks this should be a policy versus a Charter amendment. The financial reporting document has too much detail and does not belong in the City Charter.

Caron said she believes that some framework should go into the City Charter. Miller said it would be alright to put something in City Charter as long as it is not detail-oriented.

Luger said one item might be the long term financial plan, as long as the language is general and does not include any details such as the number of years that would be included or the timing for adoption, etc.

Olson suggested working on the language for the ordinance and then looking to see what can be placed in the City's Charter.

Mayor Ruehl said that the City already has a number of financial documents on its website and the City can manage the newsletters and mailings better so that there would not be extraordinary costs.

The Council discussed formulating a two-track approach for discussion with the Charter Commission. The Council asked staff to draft general language that could be proposed as an amendment to the Charter expressing the City's commitment to long-term financial planning and clear and understandable communication with residents about the City's finances. That proposed Charter language could be paired with a document that would provide the details of how the City would live up to the commitments outlined in the proposed Charter language. This second track would ultimately be adopted either by resolution as a city policy or by ordinance. This two-track approach would allow the City to clearly communicate the goals articulated by the Charter Commission's work while retaining the flexibility to tailor implementation of those goals to circumstances that evolve over time.

**4. Planning Commission Membership**

Luger said that Commissioner Jensen is not able to attend due to an illness. She asked that the Council discuss this item and make a decision so the issue is not carried over onto future agendas.

Caron said she had a conversation with Commissioner Jensen and he had explained to her his perspective on the events that took place. She said that she doesn't think the commissioner handled the issue properly in the beginning and then when the neighbors began to press the issue the relationship with the neighbors deteriorated. The commissioner also had a number of personal issues come up that also contributed to the situation.

**4. Planning Commission Membership – (Continued)**

Caron said that she has decided not to push to have the commissioner removed from the advisory commission at this point. The situation was more complicated than she had originally understood. She said that as soon as the commissioner had become aware of the issue and the City's position he did handle it. The commissioner probably could have managed everything differently, but based on what she's learned she does not think it warrants removal from the commission.

Olson said he agrees with Caron; he had also concluded that the events that occurred did not warrant removal from the commission.

Mayor Ruehl said that people deal with conflict differently and the City has been inconsistent in how it handles things. Over the past seven years, the City has gotten better at how it handles things. He noted that it's hard to come down on someone when the City is partially at fault.

Fulkerson said she is not happy with the events that took place and will not change her opinion. The commissioner took an oath of office and he has disregarded the City Code and he did not follow up with the City when he was contacted. A commissioner should not be allowed to vote on other people's projects when they have violated the City Code and ignored the letters from the City regarding the violation. Olson said the Council needs to make a decision and move on.

Miller said that the Council has also heard from the other commissioners on the advisory commission that they all want to see this person stay on the commission.

The Council agreed to let the commissioner finish his term on the Planning Commission.

**5. Other**

None

**6. Adjournment**

Olson moved, Fulkerson seconded, to adjourn the Work Session at 6:49 p.m. Motion carried 5/0.

Respectfully submitted,

Cheri Johnson  
City Clerk